

SN. 10/601,685

ATTORNEY DOCKET No. KASA:026

REMARKS

Claims 1-13 remain pending in this application for which applicant seeks reconsideration. Claims 4-9 and 11-13 remain withdrawn.

Request for Interview

Applicant requests an interview after the examiner has had the opportunity to review this Submission. The undersigned will contact the examiner in due course to schedule an interview. To expedite the interview, however, applicant respectfully requests the examiner to inform the undersigned as to when the examiner will review the Submission.

Amendment

Independent claim 1 has been amended to define the tooth base line and the tooth base side tension zone for clarity. Non-elected independent claims 4, 7, and 8 have been amended to incorporate all changes made to claim 1. No new matter has been introduced.

Rejoinder of Non-Elected Claims

As non-elected claims 4-9 and 11-13 contain all the elements of claim 1, if claim 1 is allowed, these claims **MUST** be rejoined and allowed together. Accordingly, these claims have been maintained in this application.

§ 112 Rejection

The examiner rejected claims 1-3 and 10 under 35 U.S.C. § 112, second paragraph, because the language "a major portion," second occurrence, does not refer to the first occurrence of that language. This problem has been obviated by amending the same to --the major portion--.

The examiner also objected to the use of the term "untensioned." Applicant traverses this aspect of the rejection since the language "when ..." precedes the term "untensioned." Nonetheless, the term "untensioned" has been changed to --suspended between the pair of spaced pulleys is not subject to tensioning therebetween-- and also added the language --subject to tensioning therebetween for operation of the band saw-- for added clarity. These changes relate to improving the claim form, and not for narrowing the claim scope. No new matter has been introduced.

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Art Rejection

Claims 1 and 10 were rejected under 35 U.S.C. § 102(b) as anticipated by Causey (USP 1,630,468), and claims 1-3 and 10 were rejected under 35 U.S.C. § 103(a) as unpatentable over Causey. Applicant traverses these rejections because Causey would not have disclosed or taught a band saw having one edge portion with the teeth angled at a location between the tooth base side tension zone and the tooth base line.

Claim 1 now defines that the tooth base line is located at an innermost part of gullets of the teeth and the tooth base side tension zone is located adjacent to the tooth base line. Claim 1 calls for the band saw to have one edge portion thereof angled relative to the major portion of the saw body at a location between the tooth base side tension zone and the tooth base line.

Causey would not have taught at least the feature outlined above. Indeed, Causey discloses a band saw having the saw body bent about the mid-width portion thereof, at the tension zone. Therefore, Causey would not have disclosed or taught a band saw having its one edge portion angled relative to the major portion of the saw body. Note that claim 1 clearly defines that the angle occurs between the tooth base line and the tension zone.

Conclusion

Applicant submits that claims 1-13 patentably distinguish over the applied reference and are in condition for allowance. Should the examiner have any issues concerning this reply or any other outstanding issues remaining in this application, applicant urges the examiner to contact the undersigned to expedite prosecution.

Respectfully submitted,

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LYLE KIMMS
REG. NO. 34,079 (RULE 34, WHERE APPLICABLE)

10 NOVEMBER 2005
DATE

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